

FAEGRE & BENSON LLP

2200 WELLS FARGO CENTER, 90 SOUTH SEVENTH STREET
MINNEAPOLIS, MINNESOTA 55402-3901
TELEPHONE 612-766-7000
FACSIMILE 612-766-1600

RECEIVED
CENTRAL FAX CENTER

FACSIMILE TRANSMITTAL SHEET
Minneapolis Document Service Center (20th Floor) **MAR 03 2005**
Facsimile No. 612/766-1600

THIS TELECOPY IS INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

Date: March 3, 2005

Time: _____ .m. (Minneapolis)

Number of pages (including this page): 4

F&B File No.: 75028- Rec.: 993
309296**From:** Tong Wu**Telephone Number:** 612/766-6804**To:** Commissioner for Patents
Art Unit: 3732**Fax No.:** 703-872-9306
Phone No.: 703-305-3531

Patent & Trademark Office, Technology Center 3700

Inventor(s): ERIK E. EMSTAD et al.**Examiner:****Appln. No.:** 10/726,329**Group Art Unit:** 3732**Filing Date:** December 1, 2003**Title:** SPINAL ACCESS
INSTRUMENT**Docket No.** 75028-309296

Attached for filing:

Power of Attorney with Statement Under 37 CFR 3.73(b) and copy of Certificate of Amendment (3 pages).

M2:20696337.01

If you do not receive all pages, please call the Fax Center at
612/766-1650 or Janice Grooms at 612/766-7814.

Best Available Copy

PTO/SB/81 (F&B 02-05)

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/726,329
Filing Date	December 1, 2003
First Named Inventor	Erik E. Emstad
Title	SPINAL ACCESS INSTRUMENT
Art Unit	3732
Examiner Name	
Attorney Docket Number	75028-309296

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:
OR

43541

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature	<i>Terry D. Schlotterback</i>	Date	28 Feb 04
Name	Terry D. Schlotterback		
Title and Company	President, Zimmer Spine, Inc.		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 2 forms are submitted.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Best Available Copy

PTO/SB/96 (09-04)

Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Emstad, et alApplication No./Patent No.: 10/726,321 Filed/Issue Date: 12/1/03Entitled: SPINAL ACCESS INSTRUMENTZimmer Spine, Inc.

(Name of Assignee)

corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below:1. From: Inventors To: Centerpulse Spine-Tech Inc.

The document was recorded in the United States Patent and Trademark Office at Reel 014765, Frame 0518, or for which a copy thereof is attached.

2. From: Centerpulse Spine-Tech Inc. To: Zimmer Spine, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel 015642, Frame 0498, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. **See** MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Tong Wu

Signature

Tong Wu

Printed or Typed Name

Attorney

Title

March 3, 2005

Date

612/766-6804

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Best Available Copy

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 11:57 AM 10/01/2002
020609078 - 2870689

**CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
SULZER SPINE-TECH INC.**

Sulzer Spine-Tech Inc., a corporation duly organized and existing under the General Corporation Law of the State of Delaware (the "Corporation").

DOES HEREBY CERTIFY:

FIRST: That the Sole Director of the Corporation, by written consent, adopt a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of the Corporation:

RESOLVED, that the Certificate of Incorporation of Sulzer Spine-Tech Inc. be amended by changing Article I thereof so that, as amended, said Article I shall be and read as follows:

"The name of the corporation is Centerpulse Spine-Tech Inc. (hereinafter referred to as the "Corporation")."

SECOND: That the sole shareholder, by written consent, has given consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

THIRD: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Sections 242 and 228 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, Sulzer Dental Inc. has caused this Certificate to be executed by David S. Wise, its authorized officer, on this 30th day of September, 2002.


David S. Wise, Secretary

dr:\Corporates\Certificates of Amendment SPT.doc